

## CIRCUIT COURTS

Budget Summary							
Fund	2014-15 Base Year Doubled	2015-17 Governor	2015-17 Jt. Finance	2015-17 Legislature	2015-17 Act 55	Act 55 Change Over Base Year Doubled Amount	Percent
GPR	\$191,207,000	\$194,940,600	\$194,940,600	\$194,940,600	\$194,940,600	\$3,733,600	2.0%
PR	<u>465,400</u>	<u>465,400</u>	<u>465,400</u>	<u>465,400</u>	<u>465,400</u>	<u>0</u>	0.0
TOTAL	\$191,672,400	\$195,406,000	\$195,406,000	\$195,406,000	\$195,406,000	\$3,733,600	1.9%

FTE Position Summary						
Fund	2014-15 Base	2016-17 Governor	2016-17 Jt. Finance	2016-17 Legislature	2016-17 Act 55	Act 55 Change Over 2014-15 Base
GPR	527.00	527.00	527.00	527.00	527.00	0.00

### Budget Change Items

#### 1. STANDARD BUDGET ADJUSTMENTS

GPR	\$3,733,600
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**Governor/Legislature:** Provide \$1,866,800 annually associated with full funding of salaries and fringe benefits.

#### 2. DELETE CIRCUIT COURT SUPPORT PAYMENTS, GUARDIAN AD LITEM COSTS, AND COURT INTERPRETER FEES; CREATE CIRCUIT COURT COSTS APPROPRIATION [LFB Paper 225]

**Governor:** Delete the GPR appropriations and all statutory language associated with the circuit court support payments, guardian ad litem costs, and the court interpreter fees. Instead, create a new circuit court costs biennial appropriation from which to make payments to counties for circuit court costs funded at \$48,002,800 GPR annually with 278.0 GPR positions. The appropriation would be identified as a local assistance appropriation. In addition, transfer funding (\$23,326,000 GPR) and position authority (278.0 GPR positions) for circuit court reporters from the sum sufficient, general program operations appropriation to the new circuit court costs appropriation. It should be noted that the transferred funding associated with the

court reporter positions does not include the full funding increases and related costs provided under standard budget adjustments associated with those positions.

The following table identifies the funding that would make up the new "circuit court costs" appropriation.

	<u>Base Funding</u>
Court Reporters	\$23,326,000
Circuit Court Support Payments	18,552,200
Guardian Ad Litem Costs	4,691,100
Court Interpreter Fees	<u>1,433,500</u>
Total	\$48,002,800

Delete the current law definition of "circuit court costs," which include: (a) juror fees; (b) certain witness and expert witness fees; (c) salary and fringe benefits for judicial assistants for circuit court judges; and (d) any other circuit court costs, except costs related to courtroom security, including security personnel, and costs related to rent, utilities, maintenance, rehabilitation and construction of circuit court facilities. Instead, authorize the Director of State Courts to define "circuit court costs" for the purpose of making payments from the new appropriations.

Delete a nonstatutory provision from the 2009-11 biennial budget allowing the Director of State Courts to create a two-year pilot program for centralized interpreter services. The bill would delete obsolete statutory language referring to a one-time payment to Milwaukee County for courtroom construction to handle violent crime cases in the 1991-93 biennium.

Current law and funding for the repealed appropriations is identified below.

*Circuit Court Support Payments.* Under current law, the Director of State Courts makes payments to counties of \$18,552,200 GPR annually as follows: (a) each county receives a base payment of \$42,275 per judge (or a proportional amount of \$42,275 based on caseload if two counties share a branch.); (b) each county with one or fewer circuit court branches receives an additional \$10,000; and (c) counties with more than one circuit court branch receive an additional payments equal to the county's proportion of the state population times the amount remaining after funding for base payments and payments to counties with one or fewer branches have been allocated.

*Guardian Ad Litem Costs.* Under current law, the Director of State Courts provides funding to counties to offset the costs of guardian ad litem services. A guardian ad litem (GAL) is an attorney appointed by the court for persons (usually minor children) in certain proceedings, who is an advocate for the best interests of the person. Payments are distributed based on each county's proportion of: (a) court branches; (b) revenue generated by the court support services fee; (c) and cases that would likely involve GAL services as determined by the Director of State Courts. No county may receive a GAL payment in an amount exceeding the total cost of GAL compensation that the county incurred under family, child and juvenile proceedings in the previous calendar year. Base funding for GAL payments is \$4,691,100 GPR annually.

*Court Interpreter Fees.* The state reimburses counties for the circuit court costs associated with interpreters for persons with limited English proficiency. To receive reimbursement, counties must submit forms to the Director of State Courts accounting for interpreter expenses for the preceding three-month period. Reimbursements for interpreter expenses are: (a) \$40 for the first hour and \$20 for each additional 0.5 hour for qualified interpreters certified under the requirements and procedures approved by the Supreme Court; (b) \$30 for the first hour and \$15 for each additional 0.5 hour for qualified interpreters; and (c) for mileage, 51 cents per mile. Base GPR funding for court interpreters is \$1,433,500 annually.

**Joint Finance/Legislature:** Approve the Governor's recommendation to consolidate the appropriations for circuit court support payments, guardian ad litem costs, and court interpreter fees under a new circuit court costs appropriation, but delay the consolidation until 2016-17 in order to provide the Director of State Courts time to determine how to implement the changes.

Delete the transfer of court reporter positions and associated funding to the new appropriation, retaining the funding and positions under the Courts' general program operations appropriation.

[Act 55 Sections: 829 thru 833, 4598, 4601b thru 4603, 4631, 4746, and 9407(1f)&(2f)]

### 3. DELETE FORFEITURE FEE EXEMPTIONS [LFB Paper 226]

	<b>Governor (Chg. to Base)</b>	<b>Jt. Finance/Leg. (Chg. to Gov)</b>	<b>Net Change</b>
PR-REV	\$697,600	- \$697,600	\$0
GPR-REV	1,743,800	- 1,743,800	0

**Governor:** Delete the current exemptions for paying the \$25 fee in forfeiture actions.

Under current law, a \$25 forfeiture fee is assessed when judgment is entered against the defendant except for the following: (a) prohibitions against smoking, responsibility of persons in charge violations; (b) motor vehicle liability insurance violation; (c) special identification cards for physically disabled violation; or (d) a safety belt use violation. Revenue from the fee is distributed as follows: (a) \$12.50 to the general fund; (b) \$5 to the Circuit Court Automation Programs; and (c) \$7.50 to the counties.

**Joint Finance/Legislature:** Delete provision.

### 4. COURT INTERPRETERS FUNDING FROM PENALTY ASSESSMENT INSTEAD OF JUSTICE INFORMATION SURCHARGE [LFB Paper 418]

**Governor/Legislature:** Modify current law so that revenues from the justice information surcharge are not utilized to support the court interpreter program revenue appropriation. Instead, provide that funding from penalty surcharge revenues. Base funding for court interpreters is \$232,700.

Under current law, the Director of State Courts reimburses counties for the actual expenses paid for interpreters required by circuit courts to assist persons with limited English proficiency. With regards to the penalty surcharge, when a court imposes a fine or forfeiture for most violations of state law or for a violation of municipal or county ordinance, the court must impose a penalty surcharge totaling 26% of the total fine or forfeiture.

[See "Justice" for information regarding the justice information surcharge and penalty surcharge]

[Act 55 Sections: 752, 778, 782, and 834]